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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2323

02/15/2012 Authored by Hortman

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; modifying provisions relating to child passenger
1.3 restraint systems to qualify for federal money; authorizing commissioner of
1.4 public safety to accept federal money; amending Minnesota Statutes 2010,
1.5 sections 169.685, subdivision 6; 299A.01, subdivision 2, by adding a subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2010, section 169.685, subdivision 6, is amended to read:

1.8 Subd. 6. **Exceptions.** (a) This section does not apply to:

1.9 (1) a person transporting a child in an emergency medical vehicle while in the
1.10 performance of official duties and when the physical or medical needs of the child make
1.11 the use of a child passenger restraint system unreasonable or when a child passenger
1.12 restraint system is not available;

1.13 (2) a peace officer transporting a child while in the performance of official duties
1.14 and when a child passenger restraint system is not available, provided that a seat belt
1.15 must be substituted;

1.16 (3) a person while operating a motor vehicle for hire, including a taxi, airport
1.17 limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle; and

1.18 (4) a person while operating a school bus, ~~and as defined in section 169.011,~~
1.19 subdivision 71, that has a gross vehicle weight rating of greater than 10,000 pounds.

1.20 ~~(5) a person while operating a type III vehicle described in section 169.011,~~
1.21 ~~subdivision 71, paragraph (h), if the vehicle meets the seating and crash protection~~
1.22 ~~requirements of Federal Motor Vehicle Safety Standard 222, Code of Federal Regulations,~~
1.23 ~~title 49, part 571.~~

1.24 (b) A child passenger restraint system is not required for a child who cannot, in the
1.25 judgment of a licensed physician, be safely transported in a child passenger restraint

system because of a medical condition, body size, or physical disability. A motor vehicle operator claiming exemption for a child under this paragraph must possess a typewritten statement from the physician stating that the child cannot be safely transported in a child passenger restraint system. The statement must give the name and birth date of the child, be dated within the previous six months, and be made on the physician's letterhead or contain the physician's name, address, and telephone number. A person charged with violating subdivision 5 may not be convicted if the person produces the physician's statement in court or in the office of the arresting officer.

(c) A person offering a motor vehicle for rent or lease shall provide a child passenger restraint device to a customer renting or leasing the motor vehicle who requests the device. A reasonable rent or fee may be charged for use of the child passenger restraint device.

Sec. 2. Minnesota Statutes 2010, section 299A.01, subdivision 2, is amended to read:

Subd. 2. **Duties of commissioner.** The duties of the commissioner shall include the following:

(1) the coordination, development and maintenance of services contracts with existing state departments and agencies assuring the efficient and economic use of advanced business machinery including computers;

(2) the execution of contracts and agreements with existing state departments for the maintenance and servicing of vehicles and communications equipment, and the use of related buildings and grounds;

(3) the development of integrated fiscal services for all divisions, and the preparation of an integrated budget for the department;

(4) the publication and award of grant contracts with state agencies, local units of government, and other entities for programs that will benefit the safety of the public; ~~and~~

(5) the acceptance of federal money for and on behalf of the state of Minnesota to carry out programs under the authority of the commissioner; and

(6) the establishment of a planning bureau within the department.

Sec. 3. Minnesota Statutes 2010, section 299A.01, is amended by adding a subdivision to read:

Subd. 2a. **Federal aid; appropriation.** All federal money received by the commissioner is appropriated to the commissioner to be used for the purposes for which the funds are made available to be expended in accordance with subdivision 2, clause (5), and with federal laws and regulations.